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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,855	09/29/2000	Gary Dan Dotson	00AB147 (81696/235)	9316

7590 12/18/2003

Rockwell Technologies, LLC  
Attention: John J. Horn  
Patent Dept./704P Floor 8 T-29  
1201 South Second Street  
Milwaukee, WI 53204-2496

EXAMINER
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TORRES, JOSEPH D

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 12/18/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/675,855

Applicant(s)

DOTSON, GARY DAN

Examiner

Joseph D. Torres

Art Unit

2133

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 11-23.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1 and 3-10.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
ALBERT DECADY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Continuation of 5. does NOT place the application in condition for allowance because: The Applicant contends, "Wolf does not teach or suggest an arithmetic circuit employed to provide error checking based on data received from the DMA controller as recited in the subject claim".

The Examiner disagrees and asserts that in col. 8, lines 30-31, Wolf explicitly teaches a step in the Encoding algorithm of Wolf whereby a block of data is written "to the encoder data RAM0 using DMA with the COMMAND2 register (block 1205)". The Reed-Solomon decoder of Wolf is an arithmetic circuit employed to provide error checking. The Applicant acknowledges that, in col. 8, lines 30-31, Wolf teaches "a process step wherein data is received from the DMA" (on page 4 of the Applicant's Request for Reconsideration). The Examiner asserts that the process step is part of the encoding algorithm taught in the Wolf patent hence the Reed Solomon encoding algorithm in the Wolf patent depends on "data is received from the DMA", hence is based on the data received from the DMA (Note: Miriam Webster's dictionary defines the verb base as to make, form or serve as a base for, therefore; if an encoding algorithm depends on a particular step it is also based on that step). Hence, wolf teaches an arithmetic circuit employed to provide error checking, i.e., a Reed-Solomon encoder, based on data received from the DMA controller (data received from the DMA in the process step of col. 8, lines 30-31, Wolf used for Reed-Solomon encoding).